

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
(MEMPHIS DIVISION)

IN RE REGIONS MORGAN KEEGAN ERISA)
LITIGATION)

Case No. 2:09-md-02009

This Document Relates to:)

Judge Samuel H. Mays, Jr.

In Regions Morgan Keegan ERISA Litig.,)

Case No. 2:08-cv-2192-SHM-dkv)

Magistrate Judge Diane K. Vescovo

)

**JOINT MOTION FOR EXTENSION OF STAY OF THE ACTION PENDING
CONTINUED SETTLEMENT NEGOTIATIONS**

All Parties to this action, by their undersigned counsel, respectfully move the Court for an Order extending the stay of this action through January 15, 2013 to allow the Parties to continue ongoing settlement negotiations. A memorandum of law is submitted below in support of this motion.

Memorandum in Support

On June 19, 2012 this Court granted the joint motion of all Parties in this Action to stay the proceeding “on the ground that the parties are currently engaged in deposition discovery and believe that sufficient facts have been developed through the course of discovery to permit meaningful participant in mediation.” Dkt. No. 304.

The Parties subsequently reached agreement to mediate before Judge Daniel Weinstein, but were unable to schedule time with Judge Weinstein until August 20, 2012. On August 20, counsel for all Parties met at Judge Weinstein’s mediation facility in northern California and engaged in discussions for nearly 12 hours. Since August 20, Judge Weinstein has engaged in follow up discussions with all Parties. A subsequent stay of the proceeding was granted through

December 3, 2012 so that the parties could engage in additional negotiations facilitated by Judge Weinstein. Dkt. No. 307.

To allow the Parties to engage in further meaningful settlement discussions facilitated by Judge Weinstein and build on the progress made to date, the Parties request that this Court stay discovery and all briefing deadlines through January 15, 2013. In the event the Parties are not able to reach a settlement of the case prior to expiration of the stay, the Parties will jointly submit, on or before January 31, 2013, a Proposed Amended Scheduling Order for the completion of class certification discovery, class certification briefing, merits discovery, pre-trial disclosures, and trial.

Based on the foregoing, the Parties jointly and respectfully request entry of an Order Granting Stay as set forth above. A proposed order will be transmitted to the Court via e-mail in accordance with the requirements of Local Civil Rule 7.2(a)(1)(A).

DATED: November 30, 2012.

KELLER ROHRBACK L.L.P

s/ Derek W. Loeser

Lynn L. Sarko

lsarko@kellerrohrback.com

Derek W. Loeser

dloeser@kellerrohrback.com

Margaret E. Wetherald

mwetherald@kellerrohrback.com

Matt Gerend

mgerend@kellerrohrback.com

1201 Third Avenue, Suite 3200

Seattle, WA 98101-3052

Tel.: (206) 623-1900

Fax: (206) 623-3384

Interim Co-Lead Counsel for the Class and Co-Counsel for Plaintiffs Harrison, Smith and Smith

Ellen M. Doyle
edoyle@stemberfeinstein.com
Pamina Ewing
pewing@stemberfeinstein.com
Stephen M. Pincus
spincus@stemberfeinstein.com
**STEMBER FEINSTEIN DOYLE PAYNE &
KRAVEC LLC**
1705 Allegheny Building
429 Forbes Avenue
Pittsburgh, PA 15219
Tel: (412) 281-8400
Fax: (412) 281-1007

*Interim Co-lead Counsel for the Class and Co-
Counsel for Plaintiffs Hamby and Jackson*

MAYNARD COOPER & GALE, PC

s/ William B. Wahlheim (w/permission)
William B. Wahlheim, Jr.
wwahlheim@maynardcooper.com
Richard Davis
rdavis@maynardcooper.com
John David Collins
gjcollins@maynardcooper.com
1901 – 6th Avenue North, Suite 2400
Birmingham, AL 35203-2602
Tel.: 205-254-1068
Fax: 205-254-1999

Tom Fitzgerald
tff@groom.com
Sarah Zumwalt
szumwalt@goom.com
GROOM LAW GROUP, CHARTERED
1701 Pennsylvania Avenue, N.W., Suite 1200
Washington, DC 20006-5811
Tel.: 202-857-0620
Fax: 202-659-4503

*Counsel for the Regions Defendants and
Individual Defendants*

WYATT, TARRANT & COMBS, LLP

s/ Robert E. Craddock (w/permission)

Robert E. Craddock, Jr.

rcraddock@wyattfirm.com

1715 Aaron Brenner Drive, Suite 800

Memphis, TN 38120-4367

Tel.: 901-537-1000

Fax: 901-537-1010

*Counsel for Defendants Kemmons Wilson, Jr. and
Michael S. Starnes*

MAYNARD COOPER & GALE, PC

s/ Peter S. Fruin (w/permission)

Peter S. Fruin

Pfruin@maynardcooper.com

1901 – 6th Avenue North, Suite 2400

Birmingham, AL 35203-2602

Tel.: 205-254-1068

Fax: 205-254-1999

*Counsel for Defendants Regions Financial
Corporation and Morgan Asset Management, Inc.*

BASS BERRY & SIMS PLC

s/ W. Brantley Phillips, Jr. (w/permission)

W. Brantley Phillips, Jr.

bphillips@bassberry.com

150 Third Avenue South, Suite 2800

Nashville, TN 37201

Tel.: 615-742-6200

Fax: 615-742-2803

Shepherd D. Tate

state@bassberry.com

Michael A. Brady

mbrady@bassberry.com

BASS BERRY & SIMS PLC

100 Peabody Place, Suite 900

Memphis, TN 38103-3672

Tel.: 901-543-5900

*Counsel for Defendants Morgan Keegan & Co.,
Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2012, I caused the foregoing document to be filed with the Clerk of the Court via the CM/ECF system, which will send notice of such filing to all Counsel of Record in the case. There are no non-CM/ECF participants.

DATED this 30th day of November, 2012.

s/ Derek W. Loeser

Derek W. Loeser